

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Civ. No. 1:10-CV-513
(NAM/RFT)

Plaintiff,

- against -

AFFIRMATION

MATTHEW JOHN RYAN and PRIME RATE AND
RETURN, LLC, individually and doing business as
AMERICAN INTEGRITY FINANCIAL CO.,

Defendants.
----- X

A.J. Bosman, an attorney admitted to practice in the federal Northern District Court of the
State of New York, affirms under penalty of perjury as follows:

1. I am the principal attorney of the Bosman Law Firm, LLC, attorneys for Bosman & Associates, PLLC, am not party to this action, and am familiar with pleadings and facts of this case.
2. I make this affirmation in support of Bosman & Associate's opposition to the September 25, 2012 motion of Receiver Paul A. Levine, Esq.'s ("Receiver") to the extent that the Receiver seeks an Order releasing and/or otherwise disbursing settlement proceeds in contravention of this Court's October 20, 2010 Decision and Order.
3. As set forth in the accompanying Affidavit of T. Padric Moore, Esq., the law firm of Bosman & Associates, PLLC secured a \$50,000.00 settlement payment in NY State Court actions to or for the benefit of the defendants in the above captioned matter. Bosman & Associates, PLLC asserted charging liens against pending NY State court

actions involving Mr. Ryan, including a 50% claim on the \$50,000.00 settlement proceeds mentioned in the Receiver's motion.

4. As set forth in the October 20, 2010 Decision and Order accompanying herewith, this Court adjudged that fifty percent of the Settlement Agreement proceeds are to be paid to the law firm of Bosman & Associates, PLLC in consideration of the charging liens recognized by the Court. (Decision and Order, p. 29).
5. In accordance with the Court's October 20, 2010 Decision and Order, the law firm of Bosman & Associates, PLLC, respectfully requests an Order directing the Receiver to pay the law firm of \$25,000.00 from the Settlement Agreement proceeds, once received.

WHEREFORE, it is respectfully requested that the requested relief be denied as set forth herein.

Dated: Rome, New York
October 29, 2012

THE BOSMAN LAW FIRM, LLC

s/A.J. Bosman

A.J. Bosman, Esq.

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